



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

set up courts, vested with the power of interpreting a written constitution, to act as a "barrier to the encroachments and oppressions of the representative body." Now history, as Mr. Adams interprets it, seems to show that courts are debarred by their very nature from effectively performing any such function, and that in their attempt to do so they have always tended both to undermine order and to immolate themselves. Moreover, in this country, the courts, under the pressure of industrial developments and through the extension of the doctrine of "Police Power" have taken upon themselves more and more the character of legislative chambers, as indicated by expressions of judicial opinion from the early decisions of Marshall down to the celebrated "rule of reason." Nowadays, Mr. Adams avers, "whether it be the regulation of rates and prices, of hours of labor, of the height of buildings, of municipal distribution of charity, of flooding a cranberry bog, or of prescribing to sleeping-car porters duties regarding the lowering of upper berths—in questions great and small—the courts vote upon the reasonableness of the use of the Police Power, like any old-fashioned town meeting." Thus, with us, the courts are placed just where the strain is greatest, while in England and in France there is no class jealousy touching the control of the judiciary.

Mr. Adams's book aims at the widest possible generalization. In reading it we feel that in large part we are reabsorbing ideas that we have already assimilated, but in a new order and in a new context. The treatise has the eminent merit of presenting its thesis philosophically, with no connotation of politics or of special doctrine—least of all does Mr. Adams believe in the judicial recall—and the author's thoroughness and largeness of view can hardly fail to promote clearness of thought on the subject with which he deals. Yet we should be slow to admit that he has proved his point conclusively; and such disquisitions leave us with the feeling that, whatever the prophets say, we must struggle on, in the future as in the past, through experimenter's compromise, and faith.

HERE ARE LADIES. By JAMES STEPHENS. New York: The Macmillan Company, 1913.

This gallimaufry of Mr. Stephens's is never less than enlivening and sometimes it is pure joy. For sheer delight in elaborate, fanciful nonsense nothing could exceed the twelve discourses of the "Old Man" in that section of the book which is entitled "There is a Tavern in the Town." These should be read as they seem to have been written, at a gallop, and they may be so read without loss, for despite their overflowing garrulity, their fantasy, and their verbal acrobatics, they are as clear and coherent as the Declaration of Independence. The only literary personage who occurs to one as really akin to the Old Man in vitality and ingenuity is the White Knight in *Alice Through the Looking Glass*, though the Knight was gently melancholy, while the Old Man is unquenchably cheerful. In the latter, there is, moreover, a pleasant human touch of "My Grandfather Squeers."

Throughout the book Mr. Stephens's style gives us in profusion the quick, bright realizations of poetry as well as of wit. Obviously it is ungrateful to find fault with a performance which adds, as this does, no little to human gaiety; but it may be permissible to inquire whether the

whimsical spirit as an expression of mood and literary facility does not in some instances become a trifle frantic. The care-free and youthful spirit is a fine thing in its way. We can all agree with the dictum that "a young dog is a piece of early morning disguised in an earthly fell," and the man who can resist his contagion is as bad as Mr. Stephens says he is. But when sorrowful, or angry, or bored, or otherwise tragic men or women are the subjects, Mr. Stephens's manner seems a trifle too cavalier. The man who happens to detest his mother or his wife is not an altogether entertaining part of the human spectacle; and while we need not insist that all art be either conscientiously realistic or else ideal, it seems right to ask that what is fanciful shall not be painful and that serious things be treated in the sober spirit of real life. Possibly the sad folk do not seem very real to Mr. Stephens, the only real things being the joyous things; yet it strikes us a bit unwholesome to be playing with the pathos and humor of men's lives, as if human beings were quite unmoral and unreasoning; nor does it make all seem right to reflect that we may at any time turn away from human mistakes and miseries to look at the stars and the flowers. In all this there is something of that tendency to romantic unrestraint and to glorification of the unmoral which is not the healthiest way of reacting to the material and ethical severities of life. Escape into whimsical nonsense and pleasant fantasy is good; but a confusion of values must always be bad.

THE ASSURANCE OF IMMORTALITY. By HARRY EMERSON FOSDICK. New York: The Macmillan Company, 1913.

The value of Mr. Fosdick's book lies, first, in his clear comprehension of the common state of mind regarding the possibility of survival, and next in his power of lucidly and suggestively setting forth the simplest and most permanent grounds of belief. He begins by pruning away misapprehensions, and when he comes to a statement of what little can be said with assurance, that little proves far more convincing than we might have anticipated.

Science, he points out, has shattered old forms of faith, and with admirable but mistaken courage men, by minimizing the importance of personal survival, have adapted themselves to the new intellectual conditions. It is sometimes hard nowadays to make people feel the significance of immortality. Mr. Fosdick does not believe that morality and civilization hinge upon this one doctrine, but he does show that the denial of future life leaves human existence rather bare and motiveless. All forms of merely imaginative or metaphorical survival—such as survival in the grateful memory of the living—are to him as nothing. Nor does the doctrine that human goodness is treasured up in the being of God content him. "A man's goodness," he argues, "is as inalienably his possession as greenness is the possession of a tree, and only when greenness can persist after the tree is gone can righteousness, abstracted from the personality whose function it is, fly unattached to be assimilated by another." Moreover, that virtue is its own reward cannot be maintained in those cases in which men sacrifice their lives for conscience' sake; for he who is annihilated in an instant receives no reward at all. And even "character" is a